

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

1	UNITED STATES OF AMERICA,)	
2)	
3	Plaintiff,)	NO. CR-05-2090-AAM
4)	
5	v.)	ORDER GRANTING MOTION TO
6)	REOPEN DETENTION HEARING (Ct
7	ADRIAN J. ANDRADE,)	Rec. 39) AND ORDER DENYING
8)	ORAL MOTION FOR RELEASE
9	Defendant.)	(Ct Rec. 48)
10)	
11)	
12)	

On January 13, 2006, this court held a bail review hearing. Robert Ellis, Esq., appeared for the government. Defendant was present with counsel Alex B. Hernandez, III, Esq.

The defendant moved for reconsideration of the Court's previous order of detention filed October 3, 2005.

The Court **granted** defendant's motion to reopen detention (**Ct Rec. 39**).

Counsel for the defendant orally moved for the defendant's release stating there are conditions which would assure defendant's appearance as required and protect community safety.

The defendant has entered a plea of guilty and is awaiting sentencing. The Court was advised that a term of imprisonment will be recommended to the Court at the time of sentencing. The government opposed the defendant's motion and argued that 18 USC

1 §3143(a)(2) proscribed the release of the defendant as requested.
2 The Court agrees.

3 The defendant's motion for release (**Ct Rec.48**) is **denied**.

4 **IT IS SO ORDERED.**

5 DATED this 13th day of January, 2006.

6
7 s/ MICHAEL W. LEAVITT
United States Magistrate Judge